

Mary Nichols, Chair
California Air Resources Board
1001 "I" Street
P.O. Box 2815
Sacramento, CA 95812

RE: Recycling and Waste Management Enhancements for the California Air Resources Board's Draft Scoping Plan

Dear Chairperson Nichols,

The City of San Jose (City) would like to first recognize the California Air Resources Board (CARB) staff for their tremendous work thus far in planning for and implementing Assembly Bill (AB) 32, including the development of the draft *Climate Change Draft Scoping Plan* (Scoping Plan).

San Jose is a dynamic city, with a diverse and involved population of more than 973,000. As the Capital of Silicon Valley, San Jose is an international leader in the bioscience industry and at the national forefront of the green technology movement. Building on the City's history of technological innovation and environmental leadership, San Jose has adopted 10 Green Vision goals and an aggressive Greenhouse Gas Reduction Plan that will serve as a roadmap for the next decade to reduce our community's environmental footprint. The City appreciates the opportunity to comment on the Scoping Plan and offers the following comments for your consideration.

General Comments

The goals and regional targets found in the Draft Scoping Plan are not aggressive enough to reach the reduction goals that have been discussed by experts in the field to mitigate for climate change. Many of the leading cities have goals well below the regional targets. Raise the target goals for local government actions.

More effort should be made to provide more thorough analyses and recommendations on how local government can reduce green house gas emissions in all listed categories. Many categories are left with little to no quantification.

The City of San Jose, as a member of Green Cities California, supports making Climate Action Plans mandatory for all California cities if funding can be provided to help cities develop their plans and implement pilot studies that are beneficial to others in the state. Not all cities will support an unfunded mandate. Without designated funding, it may be difficult for cities to realign existing resources to develop a mandatory Climate Action Plan while still accomplishing their on-going budgeted commitments.

Cities need to have readily available data in a format consistent with the protocol from resource agencies. Specific data includes energy and water usage by customer category, local and regional transportation data and waste disposal and diversion data. Please help facilitate making this data annually available.

The City of San Jose also supports, and incorporates by reference, comments made by Green Cities California.

AB 32 Program Design

Funding for climate change programs is very limited due to severe budget shortages. The City recommends that the Air Board support an amendment adding climate change activities as a Prop 218 user fee exemption similar to waste water, water, and other vital community services. . This change would help cities obtain long-term funding for essential services that affect the entire community.

Ensure that past efforts by cities and current reporting protocols can be reconciled so that earlier reduction efforts are not lost. The Air Board should provide conversion factors. There is a concern that data prior to 2005 may use different metrics requiring the prior work to be re-done.

Land Use and Local Government

The local government section emphasizes the necessary partnership between local and regional government agencies in achieving California's greenhouse gas reduction goals, but the only target attached to this section is a transportation measure, which understates the contribution that local governments can bring to reducing greenhouse gas emissions. At the very least, cities that are willing to go further -- to commit to higher densities near transit nodes and downtowns-- should be encouraged to do so by being offered financial incentives to go the extra mile.

Recycling and Waste Management

In reviewing the Scoping Plan, the City noted that measures to reduce or divert solid waste are not currently in the Scoping Plan's preliminary recommendations despite the fact that there are many references to the emission reduction benefits of waste reduction and recycling in the Scoping Plan Appendices and other related documents.

The City understands that CARB has agreed to incorporate more recommendations regarding recycling and composting found in the Appendices into the main body of the Scoping Plan. The City strongly supports this effort and requests that the following references be moved to more clearly emphasize waste reduction, recycling and composting in the final Scoping Plan:

- The draft Scoping Plan's Emission Reduction Measure #15 in Section II. B. 15. (Recycling and Waste) states: "Increase waste diversion, composting, and commercial recycling, and move toward zero-waste."
- The Appendices (pg. C-124) identify "increased composting, deployment of selected conversion technologies, commercial recycling, extended producer responsibility, environmentally preferable purchasing, and production of fuels/electricity from biomass" as measures to reduce overall reduction of GHG emissions.
- The Governor's Climate Action Team's review of "Strategies Underway in California that Reduce Greenhouse Gas Emissions" concluded with "high-confidence" that "Zero Waste/High Recycling Programs" are projected to save 7 million tons of CO₂E by 2010 and 10 million tons by 2020 (http://climatechange.ca.gov/publications/factsheets/2005-06_GHG_STRATEGIES_FS.PDF). These numbers are significant in comparison to reductions that are anticipated from the existing recommended measures.
- The California Integrated Waste Management Board's (CIWMB) Strategic Directives, which include implementation of greenhouse gas reduction plans, are identified as "the most effective and efficient means to create a zero waste California". The Directives (<http://www.ciwmb.ca.gov/BoardInfo/StrategicPlan/>) include specific steps to minimize waste (SD 3), move toward producer responsibility (SD 5) and support market development (SD 6).

- The CARB Economic and Technology Advancement Advisory Committee (ETAAC) report proposed the following climate change mitigation options:
(<http://www.arb.ca.gov/cc/etaac/ETAACFinalReport2-11-08.pdf>)

- J. Develop Suite of Emission Reduction Protocols for Recycling
- K. Increase Commercial-Sector Recycling
- L. Remove Barriers to Composting
- M. Phase Out Diversion Credit for Greenwaste Alternative Daily Cover
- N. Reduce Agricultural Emissions through Composting
- O. Evaluate and Improve Policies for Qualified Waste Conversion Technologies

Even with all the above recommended options, the only preliminary recommendation included in the draft Scoping Plan related to Recycling and Waste is "RW-1 Landfill Methane Control", presented in Table 19 on page 35. The carbon dioxide (CO₂) equivalent emissions reduction potential noted for this measure is 1 million tons (1/10 of the 10 million tons reduction potential noted for the Zero Waste/High Recycling Programs previously identified by the Governor's Climate Action Team. "RW-1 Landfill Methane Control", represents a narrow, back-end strategy to mitigate the climate impacts of landfills AFTER failing to first reduce, reuse, recycle, and compost.

The City recommends that the Air Board add the measures listed above, increase waste reduction, recycling, and composting as components in the final Scoping Plan, and incorporate the recommendations submitted by Green Cities California.

If you have any questions, please contact Kerrie Romanow, Assistant Director, at 408-535-8552. Thank you for your consideration.

Sincerely,



John Stufflebean
Director of Environmental Services